



VIA HAND DELIVERY OCTOBER 15TH, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

In re application of: Ni et al.

OCT 22 2003

Application Serial No.: 10/041,574

Art Unit: 1646

TECH CENTER 1600/2900

Filed: January 10, 2002

Examiner: O'Hara, E.

For: Antibodies to Human Tumor Necrosis
Factor Receptor TR9 (As Amended)

Attorney Docket No.: PF375P1D1

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b)

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Human Genome Sciences, Inc. is the Owner of the entire right, title and interest in and to the above-identified first application by virtue of an assignment which was recorded on September 22, 2000, at Reel 011226, Frame 0440.

The Owner hereby disclaims the terminal part of any patent granted on the above-captioned first application which would extend beyond the expiration date of United States Patent number 6,358,508 which issued on March 19, 2002, from copending second application Ser. No. 09/527,236, filed on March 16, 2000, and hereby agrees that any patent so granted on the captioned first application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent number 6,358,508, which issued from copending second application Ser. No. 09/527,236.

The Owner further agrees that this agreement is to run with any patent granted on the above-identified first application and is to be binding upon the grantee, its successors, and assigns.

The Owner does not disclaim any terminal part of the patent granted on the above-captioned first application prior to the expiration date of the full statutory term of any

United States Patent number 6,358,508, which issued from pending second application Ser. No. 09/527,236 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

The fee under 37 C.F.R. § 1.20(d) for processing this Terminal Disclaimer is believed to be \$110.00. The Commissioner is hereby authorized to charge the required fee to Deposit Account No. 08-3425.

I hereby confirm that I have reviewed the assignment and, to the best of my knowledge and belief, title is in the assignee seeking to take action in this matter and that I am empowered to act on behalf of Human Genome Sciences, Inc.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: October 15, 2003



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